APPENDIX

Table 1

Substitute Father Eligibility Rules*

I. The Regulation Is Applied When There Are Frequent Visits to the Home or Meetings Outside the Home (but There's No Presence in Home). The Question of Support Is Not Relevant to the Regulation's Application**

(1) *Alabama*—Public Assistance Manual, Part I, Chapter II, Subd. V(A)

(2) *Arkansas*—Department of Public Welfare Manual, Sec. 2813 (R 483)

(3) *Georgia*—Manual of Public Assistance Administration, Part III, Sec. V, pp. 6-7 (R 492)

(4) *Louisiana*—Manual of Policies and Procedures—Department of Welfare, Sec. 2-740, 2-741, 2-742, 2-742.1, & 2-742.2.

(5) *Michigan*—Manual of Policies and Procedures, Part B, Item 259(2)

(6) *North Carolina*—Public Assistance Manual of Policies and Procedures for Administration, Sec. 440, p. 4.

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* Citations are given whenever possible. Where no citation is set forth (Idaho), the facts were given by the Director of the State Welfare Agency. There are 19 states where the substitute father regulations are qualifications on eligibility and an additional 17 states (including Puerto Rico) where the regulation's presence is used to reduce benefits.

** Each of the states set forth in the first category are included in the second category and each of the states set forth in the first two categories are included in the third.

II. The Regulation Is Applied When There Are Frequent Visits to the Home and/or Meetings Outside of the Home

(1) *District of Columbia*—Handbook of Public Assistance Policies and Procedures, EL 4, 5 IV C, D, & E (R 485)

(2) *Mississippi*—Manual of Policies and Procedures for Administration of Public Assistance, Sec. D, pp. 4512-4513 and Bulletin No. 1150 (R 494)

(3) *Oklahoma*—Department of Public Welfare Manual of Policy and Procedures, Sec. 336

(4) *Texas*—Department of Public Welfare Manual of Services, Secs. 2640 & 2642.60

III. Presence in the Home Is Sufficient for the Application of the Regulation—The Question of Support Is Not Relevant to the Regulation's Application

(1) *Arizona*—Family Services Manual, Sec. 3-403.6D (5a)

(2) *Idaho*—No citations, but is true according to the letter of Howard H. Smith, Director of Social Services

(3) *Indiana*—Public Assistance Manual, III-C-15

(4) *Kentucky*—Public Assistance Manual of Operation, Sec. 2214 G

(5) *New Hampshire*—Manual of Policies and Public Assistance Revised, pp. 47-48

(6) *New Mexico*—Department of Public Welfare Manual, Sec. 221.722

(7) *South Carolina*—Manual of Policies and Procedures in Public Assistance, Volume IV, pp. 44-45

(8) *Utah*—Manual of Public Assistance Policies, Secs. 4431.72 & 4431.8

(9) *Virginia*—Manual of Procedure, Vol. II, Section 203.106.14 (6a)

Table 2

THE "SUBSTITUTE FATHER" RULE IN THE UNITED STATES*

SITUATION	A Family is ineligible	B Family eligible, but grant is less than it would be if this relationship did not exist	C Family is eligible and the grant is not affected
1. in home; father-role	Ala.; Ariz.; Ark.; D.C.; Ga.; Idaho; Ind.; Ky.; La.; Mich.; Miss.; N.H.; N.M.; N.C.; Okla.; Tex.; Utah; Va.	Calif.; Del.; Haw.; Ill.; Me.; Nev.; N.J.; N.Y.; N.D.; Ohio; Pa.; P.R.; S.D.; Wash.	Alas.; Colo.; Fla.; Iowa.; Kans.; Md.; Mass.; Mont.; Neb.; Ore.; R.I.; Vt.; W. Va.; Wisc.; Wyo.
2. in home; no father-role	Ala.; Ariz.; Ark.; D.C.; Ga.; Idaho; Ind.; Ky.; La.; Mich.; Miss.; N.H.; N.M.; N.C.; Okla.; Tex.; Utah; Va.	Calif.; Del.; Haw.; Ill.; Me.; Nev.; N.J.; N.Y.; N.D.; Ohio; Pa.; P.R.; S.D.; Wash.	Alas.; Colo.; Fla.; Iowa; Kans.; Md.; Mass.; Mont.; Neb.; Ore.; R.I.; Vt.; W.Va.; Wisc.; Wyo.
3. frequent visits; father-role	Ala.; Ark.; D.C.; Ga.; La.; Mich.; Miss.; N.C.; Okla.; Tex.	Me.	Alas.; Ariz.; Calif.; Colo.; Del.; Fla.; Haw.; Idaho; Ill.; Ind.; Iowa; Kans.; Ky.; Md.; Mass.; Mont.; Neb.; Nev.; N.H.; N.J.; N.M.; N.Y.; N.D.; Ohio; Ore.; Pa.; P.R.; R.I.; S.D.; Utah; Va.; Vt.; Wash.; W. Va.; Wisc.; Wyo.
4. frequent visits; no father-role	Ala.; Ark.; Ga.; La.; Mich.; N.C.	Tex.	Alas.; Ariz.; Calif.; Colo.; Del.; D.C.; Fla.; Haw.; Idaho; Ill.; Ind.; Iowa; Kans.; Ky.; Me.; Md.; Mass.; Miss.; Mont.; Neb.; Nev.; N.H.; N.J.; N.M.

(table continued on next page)

Situation	A	B	C
			N.Y.; N.D.; Ohio; Okla.; Ore.; Pa.; P.R.; R.I.; S.D.; Utah; Va.; Vt.; Wash.; W. Va.; Wisc.; Wyo.
5. out of home; father-role	Ala.; Ark.; D.C.; La.; Mich.; Miss.; N.C.; Okla.	Me.	Alas.; Ariz.; Calif.; Colo.; Del.; Fla.; Ga.; Haw.; Idaho; Ill.; Ind.; Iowa; Kans.; Ky.; Md.; Mass.; Mont.; Neb.; Nev.; N.H.; N.J.; N.M.; N.Y.; N.D.; Ohio; Ore.; Pa.; P.R.; R.I.; S.D.; Utah; Vt.; Va.; W. Va.; Wash.; Wisc.; Wyo.
6. out of home; no father-role	Ala.; Ark.; La.; Mich.; N.C.	Tex.	Alas.; Ariz.; Calif.; Colo.; Del.; D.C.; Fla.; Ga.; Haw.; Idaho; Ill.; Ind.; Iowa; Kans.; Ky.; Me.; Md.; Mass.; Miss.; Mont.; Neb.; Nev.; N.H.; N.J.; N.M.; N.Y.; N.D.; Ohio; Okla.; Ore.; Pa.; P.R.; R.I.; S.D.; Utah; Va.; Vt. Wash.; W. Va.; Wisc.; Wyo.

* This table's function is to furnish a general overview of the substitute father and man in the house rules existing in this country. It is not based entirely on original material because we could not obtain the regulations (and administrative interpretation of them) from some States. Much of the information was furnished by the State agencies. Missouri and Tennessee are the only states for which we did not have sufficient information to list in the table. The placing of regulations in the arbitrary categories set forth on the left hand side are based upon our interpretation of the regulations. HEW can of course furnish the Court with the Regulations themselves. We refer to the Appendix being submitted by the NAACP Legal Defense Fund for a fuller treatment of the regulations existing in the other States. A portion of that fuller treatment had been included in this brief but we felt it more appropriate that it appear in the amicus brief.

ARIZONA

Whenever an adult male is found to be living in an ADC household and acting as head of the household, the eligibility of which depends upon the father being absent from the household, the ADC grant will be immediately suspended. The grant will not be reinstated until the "deprivation of parental support" as an eligibility factor is again established and verified.

When the caseworker establishes the presence of an adult male in the home of an ADC applicant or recipient and as the result rejects the application or discontinues an active case, and the person whose application was rejected or grant discontinued makes a new application or requests reinstatement, on the basis the unrelated adult male is no longer in the home, the new investigation of deprivation of parental support must determine without doubt the man in question has removed himself completely from the household. It is suggested that such cases be referred to the Special Services Unit for investigation.

(AID FOR DEPENDENT CHILDREN, FS Transmittal #104, 3-403.6D.)

VIRGINIA

When a man or woman continues to live in the home under circumstances that indicate that he or she maintains an extramarital relationship with a child's parent, the couple shall be deemed to have established a household accepting parental responsibilities, including financial support for all of the children. It is not necessary to make a detailed enumeration of requirements and resources as is required when a man and woman maintain an extramarital relationship and there are no dependent children of either living in the home.

(Manual of Procedure, Section 203.14. See also Bell, *op. cit.* pp. 105-110, discussing the suitable home policies of Virginia, Arkansas and Texas.)